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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,460	03/01/2004	Naohiro Nishikawa	09812.0412	9952

22852 7590 02/05/2007
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EXAMINER

NGUYEN, LINH THI

ART UNIT	PAPER NUMBER
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2627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/790,460

Applicant(s)

NISHIKAWA, NAOHIRO

Examiner

Linh T. Nguyen

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Koizumi et al (US Patent Number 5982570).

In regards to claims 1 and 7, Koizumi et al discloses an information processing apparatus and method for reproducing a disc-shaped recording medium, comprising: a buffer memory (Fig. 5, elements 603 and 604) located between means for reading out information from said recording medium (Fig. 5, element 605) and information processing means (Fig. 5, element 201), wherein said buffer memory is a nonvolatile memory that can operate at a high speed and which consumes no part of or whole of information processing apparatus is active (Column 4, lines 59-67), power supply to said buffer memory is stopped while said buffer memory stores information of a predetermined amount to be processed next when said information processing apparatus is stopped (Column 9, steps 59 and 66) and said information processing apparatus starts processing said information of the predetermined amount to be processed next which said buffer memory stored when said information processing apparatus resumes operation (Fig. 9, steps 54, 57, 60 and 61-65).

In regards to claims 2 and 8, Koizumi et al discloses an information processing apparatus and method, wherein said nonvolatile memory is a magnetic random-access memory (Fig. 2, element 101).

In regards to claims 3 and 9, Koizumi et al discloses an information processing apparatus and method, wherein said information processing apparatus includes a recovery processing mode (Fig. 9, steps 62) and a starting portion processing mode (Fig. 9, step 51) and said two processing modes can be set by users (Column 5, lines 14-20).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koizumi et al in view of Suzuki (US Publication Number 20030193856).

In regards to claims 4 and 10, Koizumi et al discloses everything claimed in claims 3 and 10. However Koizumi et al does not disclose an information processing apparatus and method, wherein said information of the predetermined amount to be processed next continues latest information processed before said information processing apparatus is powered off when said information processing apparatus is set to said recovery processing mode.

In the same field of endeavor, Suzuki discloses an information processing apparatus, wherein said information of the predetermined amount to be processed next continues latest information processed before said information processing apparatus is powered off when said information processing apparatus is set to said recovery processing mode (Paragraph [0023]). At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the buffer memory of Koizumi et al to restart the process at a position before the apparatus last stop as suggested by Suzuki. The motivation for doing so would have been to restart and maintain continuously read/write process.

In regards to claims 5 and 11, Koizumi et al does not but Suzuki discloses an information processing apparatus and method, wherein said information of the predetermined amount to be processed next is information recorded at an arbitrary position on said disc-shaped recording medium when said information processing apparatus is set to said starting portion processing mode (Paragraph [0038] and [0039]). The motivation is the same as claim 4 above.

In regards to claims 6 and 12, Koizumi et al does not but Suzuki discloses an information processing apparatus and method, wherein said information processing apparatus is inhibited from processing said information of the predetermined amount to be processed next when said information processing apparatus resumes operation if said disc-shaped recording medium is exchanged during said information processing

Art Unit: 2627

apparatus is power off (Paragraph [0023] and [0024]). The motivation is the same as claim 4 above.

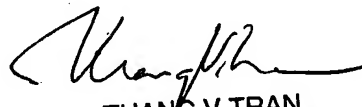
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linh T. Nguyen whose telephone number is 571-272-5513. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LN
January 29, 2007


THANG V. TRAN
PRIMARY EXAMINER